Côte d'Ivoire

Incidence and Nature of Child Labor

An estimated 36.7 percent of children ages 5 to 14 years were counted as working in Côte d'Ivoire in 2000. Approximately 36.9 percent of all boys 5 to 14 were working compared to 36.5 percent of girls in the same age group. The majority of working children are found in the informal sector, including in agricultural sectors such as cocoa, family-operated artisan gold and diamond mines, and domestic work. Some children working as domestics are subject to mistreatment, including sexual abuse. Children also shine shoes, run errands, watch and wash cars, sell food in street restaurants, and work as vendors or in sweatshop conditions in small workshops. Children have been found working in small businesses, tailor and beauty shops, and manufacturing and repair shops. There are also large numbers of street children in the country, particularly in Abidjan. Child labor is one of many problems associated with poverty. In 2002, 10.8 percent of the population in Côte d'Ivoire were living on less than USD 1 a day.

National armed forces and rebel groups are reported to recruit or use children in situations of armed conflict, sometimes on a forced basis. Rebel forces are also reported to actively recruit child soldiers from refugee camps and other areas in the western part of the country. Girls are allegedly abducted by armed opposition groups for exploitation as sexual slaves. There have been reports of Liberian children fighting in Côte d'Ivoire, many of them recruited in refugee camps in Côte d'Ivoire by both government armed forces and armed opposition groups. Ivorian child soldiers are also reported to fight in Liberia.

¹³¹¹ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

¹³¹² U.S. Department of State, *Country Reports on Human Rights Practices*- 2004: *Côte d'Ivoire*, Washington, D.C., February 28, 2005, Section 6d; available from http://www.state.gov/g/drl/rls/hrrpt/2004/41599.htm.

¹³¹³ Ibid., Section 5.

¹³¹⁴ Ibid., Section 6d.

¹³¹⁵ Since the 2002 rebellion, the number of children working in the streets, particularly girls, is reported to have increased. See Ibid., Section 5.

¹³¹⁶ World Bank, World Development Indicators 2005 [CD-ROM], Washington, D.C., 2005.

¹³¹⁷ United Nations Economic and Social Council, *Rights of the Child: Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict, Olara Otunnu*, E/CN.4/2004/70, January 28, 2004, 11. See also U.S. Department of State, *Country Reports- 2004: Côte d'Ivoire*, Section 5. Reports estimate that 3,000 children are involved with armed groups. See Save the Children, *Forgotten Casualties of War: Girls in armed conflict*, London, 2005, 7; available from

http://www.savethechildren.org.uk/temp/scuk/cache/cmsattach/2698_GAAF%20report.pdf.

U.S. Department of State, Country Reports- 2004: Côte d'Ivoire, Section 5. See also Human Rights Watch, Trapped Between Two Wars: Violence Against Civilians in Western Côte d'Ivoire, New York, August 2003, 36; available from http://www.hrw.org/reports/2003/cotedivoire0803/cotedivoire0803.pdf.

Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report* 2004, November 17, 2004; available from http://www.child-soldiers.org/document_get.php?id=771.

¹³²⁰ Amnesty International, *Côte d'Ivoire: Stop the Ûse of Child Soldiers*, press release, London, March 18, 2005; available from http://web.amnesty.org/library/pdf/AFR310032005ENGLISH/\$File/AFR3100305.pdf. See also Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report* 2004.

¹³²¹ Coalition to Stop the Use of Child Soldiers, Child Soldiers Global Report 2004.

Côte d'Ivoire is a source and destination country for trafficked children. Children are trafficked into the country from Benin, Burkina Faso, Ghana, Mali, Mauritania and Togo to work as domestic servants, farm laborers, and indentured servants, as well as for sexual exploitation. Girls are trafficked within the country for domestic service, street vending, and exploitation in prostitution.

Children work in the cocoa sector in Côte d'Ivoire. Most children work alongside their families on farms owned either by immediate or extended relatives. Many of the working children come from outside the country's cocoa zone, either from other regions of Côte d'Ivoire or from countries such as Burkina Faso. Of the children employed as full-time workers, 29 percent reported that they were not free to leave their place of employment should they wish. Approximately one-third of children ages 6 to 17 years who live in cocoa-producing households have never attended school. Schooling is either unavailable or unaffordable for many of these children. Children are involved in hazardous tasks that include spraying pesticides without protection, using machetes to clear undergrowth and carrying heavy loads.

Primary education in Côte d'Ivoire is not compulsory. It is tuition free, but some students must still pay for books, fees, and school supplies. Schools in rebel-held areas in northern Côte d'Ivoire that were closed after the civil war broke out reopened in September 2004. However, after the resumption of armed conflict in November 2004, the Minister of National Education recalled all the administrative staff and refused to certify the examinations of the students in the north. The Minister rescinded this decree in June 2005, and exams for these students were rescheduled for August 2005. However, these exams were repeatedly postponed during the year by the Ministry of National Education due to security concerns.

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¹³²² U.S. Department of State, *Trafficking in Persons Report*, Washington, D.C., June 3, 2005; available from http://www.state.gov/g/tip/rls/tiprpt/2005/46613.htm.

¹³²³ U.S. Department of State, Country Reports- 2004: Côte d'Ivoire, Section 5. See also U.S. Department of State, Trafficking in Persons Report.

They are sometimes trafficked to Europe for commercial sexual exploitation under the pretext of marriage. See U.S. Department of State, *Trafficking in Persons Report*. Children work in prostitution rings run by criminal networks, and also on an occasional basis. Children who work as occasional prostitutes also tend to work as street vendors, guards, or domestic servants. See ECPAT International, *Ivory Coast*, in ECPAT International, [database online] n.d. [cited June 15, 2005]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/countries.asp?arrCountryID=83&CountryProfile =facts,affiliation,humanrights&CSEC=Overview,Prostitution,Pronography,trafficking&Implement=Coordination_cooperation,Prevention,Protection,Recovery,ChildParticipation&Nationalplans=National_plans_of_action&orgWorkCSEC=orgWorkCSEC&DisplayBy=optDisplayCountry.

¹³²⁵ The Producer-Worker Survey revealed that 604,500 (96.7 percent) of the 625,100 children working in cocoa in Cote d'Ivoire had a kinship relation to the farmer. See International Institute of Tropical Agriculture, *Child Labor in the Cocoa Sector of West Africa: A synthesis of findings in Cameroon, Cote d'Ivoire, Ghana, and Nigeria, August 2002, 16.*¹³²⁶ Ibid., 12-13.

¹³²⁷ International Institute of Tropical Agriculture, *Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa: Cameroon, Côte d'Ivoire, Ghana, and Nigeria,* IITA, July 2002.

¹³²⁸ U.S. Embassy- Abidjan, reporting, October 4, 2005.

Approximately 200,000 children are involved in such tasks. See International Institute of Tropical Agriculture, Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa. See also USAID, USAID and Labor Department Release Data from Collaborative Survey on Child Labor on Cocoa Farms in West Africa: W. African Governments and Global Chocolate Industry Working Jointly with U.S. to Combat Problem, press release, Washington, D.C., July 26, 2002; available from http://www.usaid.gov/press/releases/2002/pr020726_2.html.

¹³³⁰ U.S. Department of State, Country Reports- 2004: Côte d'Ivoire, Section 5.

have been cited as challenges in the re-opened schools. See Integrated Regional Information Networks, "COTE D IVOIRE: Schools slow to reopen in the rebel-held north," IRINnews.org, [online], March 2, 2004 [cited July 5, 2005]; available from http://www.irinnews.org/print.asp?ReportID=39794. See also U.S. Embassy- Abidjan official, email communication to USDOL official, June 15, 2005. See also ILO-IPEC, West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP) - March 2005 TPR, technical progress report, Geneva, March 15, 2005, 3.

¹³³² U.S. Embassy- Abidjan, email communication to USDOL official, October 1, 2005.

Schools in government-controlled areas are having difficulty in absorbing the large numbers of displaced children from conflict zones as these schools do not have adequate capacity. 1333

In 2002, the gross primary enrollment rate was 78 percent, and the net primary enrollment rate was 61 percent.¹³³⁴ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 2000, 52.3 percent of children ages 5 to 14 years were attending school.¹³³⁵ As of 1999, 88 percent of children who started primary school were likely to reach grade 5.¹³³⁶

Child Labor Laws and Enforcement

The Labor Code sets the minimum age for employment at 14 years, even for apprenticeships, and requires that children under 18 get at least 12 consecutive hours of rest between work shifts, and prohibits them from working at night. Decree No. 96-204 also prohibits night work by children ages 14 to 18 years, unless granted an exception by the Labor Inspectorate, and Decree No. 67-265 sets the minimum age for hazardous work at 18 years. The Minority Act requires parents or legal guardians to sign employment contracts on behalf of children under 16 years of age and to serve as witnesses to the signing for children between the ages of 16 and 18. The Labor Inspectorate can require children to take a medical exam to ensure that the work for which they are hired does not exceed their physical capacity. Decree No. 96-193 restricts children from working in certain places such as bars, hotels, and pawnshops.

The Labor Code prohibits forced or compulsory labor. Since 1999, the Government of Côte d'Ivoire has submitted to the ILO a list or an equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138. In October 2004, the government produced a list of hazardous tasks in the cocoa sector, and in March 2005, the government adopted a decree defining hazardous work that is forbidden for children under 18 years.

¹³³³ Relief Web, "Côte d'Ivoire Crisis Devastating Children's Education", ReliefWeb, [previously online], December 11, 2003 [cited February 6, 2004]; available from http://wwww.reliefweb.int/w/rwb.nsf/s/96AB6336D490862FC1256DFD00547E95 [hard copy on file]. See also Integrated Regional Information Networks, "COTE D IVOIRE: Civil war means no school, no shots for millions of children", IRINnews.org, [online], December 9, 2004 [cited June 16, 2005]; available from http://www.irinnews.org/report.asp?ReportID=44602.

¹³³⁴ UNESCO Institute for Statistics, http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=51 (Gross and Net Enrolment Ratios, Primary; accessed December 2005).

¹³³⁵ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank Surveys, *Child Economic Activity and School Attendance Rates*. ¹³³⁶ UNESCO Institute for Statistics, http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55 (School life expectancy, % of repeaters, survival rates; accessed December 2005).

Government of Cote d'Ivoire, *Code du travail*, 1995, no. 95/15, Articles 22.2, 22.3 and 23.8; available from http://natlex.ilo.org/txt/F95CIV01.htm.

Decree No. 96-204, Article 4, as cited in U.S. Embassy-Abidjan, *reporting*, October 1, 2001. Employers found in violation of the night work prohibition are punishable with imprisonment from 10 days to 2 months and/or a fine ranging from 2,000 to 72,000 FCFA (USD 3.63 to 130.67). For currency conversion, see FX Converter.

¹³³⁹ ILO, The Effective Abolition of Child Labour, 2001, 261.

¹³⁴⁰ UN Committee on the Rights of the Child, *Initial Reports of States Parties Due in 1993, Addendum*, CRC/C/8/Add.41, prepared by Government of Côte d'Ivoire, pursuant to Article 44 of the Convention on the Rights of the Child, 2000, para. 85.

¹³⁴¹ If the child cannot perform the required tasks, the employer must move him/her to a suitable job, and if that is not possible, the contract must be cancelled. See *Code du travail*, 1995, Article 23.9.

¹³⁴² U.S. Embassy- Abidjan, reporting, October 1, 2001.

¹³⁴³ Code du travail, 1995, "Dispositions Générales", Article 3.

¹³⁴⁴ ILO-IPEC official, email communication, November 14, 2005.

Guy M'Bengue and Gérard Amangoua, Briefing by Delegation from Côte d'Ivoire, Meeting with USDOL officials, October 13, 2004. See also ILO-IPEC, West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP) - December 2004 status report, status report, Geneva, December 8, 2004, Annex 2.

The decree outlines prohibited work in the categories of agriculture, forestry, mining, commerce and urban domestic sector, artisanship, and transport. The minimum age for both voluntary and compulsory recruitment into the military is 18 years. Years.

Although there is no law specifically prohibiting the worst forms of child labor in Côte d'Ivoire, there are statutes under which the worst forms can be prosecuted. Under the Penal Code, persons convicted of procuring a prostitute under the age of 21 may be imprisoned for 2 to 10 years and fined 2,000,000 to 20,000,000 FCFA (USD 3,630 to 36,298). While there is no law specifically prohibiting trafficking in persons, abduction, receiving a person as financial security, and forced labor are prohibited by the Penal Code. 1349

A Focal Unit in the Ministry of Labor is responsible for child labor issues. The U.S. Department of State reported that minimum age laws are effectively enforced by the Ministry of Employment and Civil Service in the civil service and in large multinational companies. Child labor laws in Côte d'Ivoire apply to all sectors and industries in the country, although a lack of government resources makes it difficult to enforce these laws in the informal sector. Enforcement of child labor prohibitions is also hindered by the lack of a regulatory and judicial framework. Reports indicate that courts in the North are no longer functioning due to the conflict. In the South, five people were convicted of trafficking in 2004.

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Côte d'Ivoire participates in a 6-year regional USDOL-funded ILO-IPEC project to combat the trafficking of children for exploitative labor in West and Central Africa. Côte d'Ivoire also participates in a 3-year ILO-IPEC program funded by USDOL and the Cocoa Global Issues Group that seeks to withdraw children from hazardous work in the cocoa sector and provide them with education and training alternatives, and in another USDOL-funded project aimed at addressing training and educational alternatives for children engaged in, or at risk of, harmful work. The government is also collaborating with ILO-IPEC to conduct a survey of child labor in the country. The country is also collaborating with ILO-IPEC to conduct a survey of child labor in the country.

¹³⁴⁶ Government of Côte d'Ivoire, Ministère de la Fonction Publique et de l'Emploi, *Arrêté n°* 2250 portant détermination de la liste des travaux dangereux interdits aux enfants de moins de dix huit (18) ans, (March 14, 2005).

¹³⁴⁷ Coalition to Stop the Use of Child Soldiers, Child Soldiers Global Report 2004.

¹³⁴⁸ Government of Côte d'Ivoire, *Penal Code*, Articles 335, 336; available from

http://209.190.246.239/protectionproject/statutesPDF/CoteDIvore.pdf. For currency conversion, see FX Converter, [online] n.d. [cited July 5, 2005]; available from http://www.carosta.de/frames/convert.htm.

¹³⁴⁹ U.S. Department of State, *Trafficking in Persons Report*.

Departmental Order No. 2004-8792 was signed on August 9, 2004. See ILO-IPEC, West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP), September 2004 TPR, technical progress report, Geneva, September 2004, 6.

¹³⁵¹U.S. Department of State, Country Reports- 2004: Côte d'Ivoire, Section 6d.

¹³⁵² U.S. Embassy- Abidjan, *reporting*, October 1, 2001. See also U.S. Embassy- Abidjan, *reporting*, August 23, 2004. See also U.S. Department of State, *Country Reports- 2004: Côte d'Ivoire*, Section 6d.

¹³⁵³ U.S. Embassy- Abidjan, *reporting*, August 23, 2004. See U.S. Department of State, *Trafficking in Persons Report*.

The project covers Benin, Burkina Faso, Côte d'Ivoire, Gabon, Mali, and Togo. See International Child Labor Program U.S. Department of Labor, Combating Trafficking in Children for Labor Exploitation in West and Central Africa, Phases 1 & 2 (LUTRENA), Project Summary, 2004.

¹³⁵⁵ The ILO-IPEC project is scheduled to close in April 2006. See International Child Labor Program U.S. Department of Labor, West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labor (WACAP), project summary. See also Winrock International, Community-Based Innovations to Reduce Child Labor through Education (CIRCLE), project document, July 2002, 1, 20.

¹³⁵⁶ ILO-IPEC, *IPEC Action Against Child Labour - Highlights 2004*, online, Geneva, October 2004, 20; available from http://www.ilo.org/public/english/standards/ipec/publ/download/implementation_2004_en.pdf.

In July 2005, Côte d'Ivoire was one of 9 countries to sign a multilateral cooperative agreement to combat child trafficking in West Africa. 1357 On a bilateral level, the Ministries of Employment and of Family,

Women, and Children's Affairs cooperated with Malian authorities during the year to combat child trafficking and to repatriate Malian children found in Côte d'Ivoire. 1358 Twenty employees of the Ministry of Family are dedicated to working on child trafficking issues. 1359 A national committee, comprised of representatives from the government, national and international organizations, and NGOs, also works to combat child trafficking. 1360 In October 2004, the National Committee against Trafficking adopted a national training plan that includes training for judges, defense forces, NGOs, bus drivers, journalists, and radio personalities in the southern region.¹³⁶¹ The government is establishing field

Selected Child Labor Measures Adopted by Governments	
Ratified Convention 138 2/7/2003	✓
Ratified Convention 182 2/7/2003	✓
ILO-IPEC Member	✓
National Plan for Children	
National Child Labor Action Plan	✓
Sector Action Plan (Trafficking in Persons)	√

committees to monitor and prevent child labor on cocoa farms, 1362 and is working with local governments and NGOs to establish neighborhood watch groups to combat child trafficking. 1363 UNICEF conducts advocacy campaigns with government and rebel authorities to prevent the recruitment of children into armed conflict. 1364

In 2004, the Government of Côte d'Ivoire created an Inter-Ministerial Committee to Combat Child Labor, which is comprised of members of government, NGOs, and unions/cooperatives representing cocoa farmers. In May 2005, the committee adopted the National Action Plan to Combat Child Labor. Under the plan, the government is financing and implementing a USD 2.4 million pilot child labor monitoring system project in the Oume district. 136

In January 2005, the Prime Minister of Côte d'Ivoire established a Cocoa Task Force, which worked with the international cocoa industry to develop a plan of action to enable Côte d'Ivoire to have a national child labor monitoring system in 50 percent of the country by July 1, 2008. The Inter-Ministerial Committee to Combat Child Labor approved the action plan submitted by the Cocoa Task Force in September 2005. Under the plan, a census is to be conducted in the cocoa producing areas of the country in order to provide a countrywide baseline of child labor in this sector. 1367

The government is implementing a National Development Plan for Education, which calls for universal primary school education by 2010. 1368 WFP works with the government to operate a system of school

¹³⁵⁷ Multilateral Cooperation Agreement to Combat Child Trafficking in West Africa, July 27, 2005.

¹³⁵⁸ U.S. Department of State, *Country Reports- 2004: Côte d'Ivoire*, Section 5.

¹³⁵⁹ U.S. Department of State, *Trafficking in Persons Report*.

¹³⁶⁰ U.S. Department of State, Country Reports- 2004: Côte d'Ivoire, Section 5.

¹³⁶¹ However, due to increased instability, implementation has been stalled. See U.S. Department of State, Trafficking in Persons

Report.

1362 Integrated Regional Information Networks, "COTE D IVOIRE: Ending the worst forms of child labour on cocoa farms",

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1362 100 Integrated Regional Information Networks, "COTE D IVOIRE: Ending the worst forms of child labour on cocoa farms",

1362 100 Integrated Regional Information Networks, "COTE D IV IRINnews.org, [online], June 28, 2005 [cited June 30, 2005]; available from http://www.irinnews.org/report.asp?ReportID=47847. ¹³⁶³ U.S. Department of State, *Trafficking in Persons Report*.

¹³⁶⁴ UNICEF, At a glance: Côte d'Ivoire, in UNICEF, [online] n.d. [cited June 20, 2005]; available from http://www.unicef.org/infobycountry/cotedivoire.html.

¹³⁶⁵ U.S. Embassy- Abidjan, reporting, October 4, 2005.

¹³⁶⁶ Ibid. See also World Cocoa Foundation, Joint Statement from U.S. Senator Tom Harkin, Representative Eliot Engel and the Chocolate/Cocoa Industry on Efforts to Address the Worst Forms of Child Labor in Cocoa Growing, press release, Washington, DC, July 1, 2005; available from http://responsiblecocoa.org/news/press-release-070105.aspx.

¹³⁶⁷ U.S. Embassy- Abidjan, reporting, October 4, 2005. 1368 Government of Côte d'Ivoire, Enquête à Indicateurs Multiples - MICS2000: Rapport Final, UNICEF Statistics, Abidjan, December 2000, 24.

canteens throughout the country. ¹³⁶⁹ UNICEF provides teaching supplies, constructs temporary classrooms for displaced populations, and trains teachers to provide psycho-social support and peace education. ¹³⁷⁰

 $^{^{1369}}$ U.S. Department of State, Country Reports- 2004: Côte d'Ivoire, Section 5. 1370 UNICEF, At a glance: Côte d'Ivoire.